




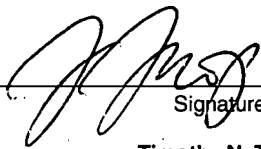
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PTO/SB/33 (07/05)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)	
		ITL.0778US (P10142)	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR on <u>August 3, 2007</u> Signature <u></u> Typed or printed name <u>Nancy Meshkoff</u>	Application Number <b>09/706,501</b>		Filed <b>November 2, 2000</b>
	First Named Inventor <b>Oleg Rashkovskiy</b>		
	Art Unit <b>2131</b>	Examiner <b>Arezoo Sherkat</b>	
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>28,994</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p> <p> Signature <b>Timothy N. Trop</b> Typed or printed name <b>(713) 468-8880</b> Telephone number <b>August 3, 2007</b> Date</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			

<input type="checkbox"/>	*Total of _____ forms are submitted.
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Oleg Rashkovskiy	§	Group Art Unit:	2131
Serial No.:	09/706,501	§	Examiner:	Arezoo Sherkat
Filed:	November 2, 2000	§	Confirmation No.:	8091
For:	Content Protection Using Block Reordering	§	Atty. Dkt. No.:	ITL:0778US (P10142)
Customer No.:	21906	§	Assignee:	Intel Corporation

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**STATEMENT IN SUPPORT OF PRE-APPEAL REVIEW**

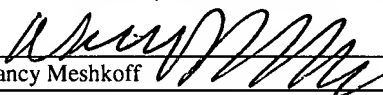
Dear Sir:

Reconsideration is requested with respect to the rejection of dependent claim 9. It states wherein the reordered blocks include a first reordered block of a first block size and a second reordered block of a second block size which is different from the first block size. Thus, the claim calls for a plurality of reordered blocks wherein at least two of those reordered blocks are different sizes.

The Office Action suggests that this is taught in Candelore, wherein the reordered blocks are "of any block sizes", citing column 22, lines 17-32. Even if Candelore taught using "any" block size, which is certainly debatable, he does not teach using different block sizes within the same reordered set. Namely, suppose Candelore said you could use two bytes, four bytes, or six bytes, but presumed that you would use the same block sizes for all the reordered blocks. This still would not reach the claimed invention.

Date of Deposit: August 3, 2007

Pursuant to Rule 1.8(a), I hereby certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571/273-8300) on the date indicated above.

  
Nancy Meshkoff

It does not appear that there is any basis to believe that Candelore taught that different block sizes could be used within the same set. To the contrary, he seems to teach exactly the opposite, and particularly with the material cited as the basis for the rejection. For example, at column 22, lines 15 and 16, he talks about "eight bytes per block", clearly implying all of the blocks are eight bytes. It is stated at column 22, line 28 that blocks do not have to be eight bytes. But this does not mean that the blocks could be different numbers of bytes within the same ordered set. Still in the same material, he again talks about "eight bytes per block" at column 22, line 36.

Thus, there seems to be no basis for the assertion that Candelore teaches using reordered sets of blocks wherein the reordered blocks have different block sizes. To the contrary, Candelore teaches explicitly away and suggests that all the blocks are of the same size. Therefore reconsideration of the rejection of claim 9 is respectfully requested.

Respectfully submitted,

Date: August 3, 2007



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